

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-3, 5 and 7-13 are now in the application. Claims 1-3, 5 and 9-13 are subject to examination and claims 7 and 8 have been withdrawn from examination. Claims 1, 5, 7, 9 and 11 have been amended. Claims 12-13 have been added.

In the Examiner comments, the Examiner states that the prior art teaches all of the claimed "structural" features and that the fact that the invention of the instant application is "adjusted for a different reason" does not distinguish the instant application over the prior art. In view of this, applicant has amended claims 1 and 11 of the instant application to recite that the adjustable diameter portion is movable in a direction toward and away from the central cylinder axis resulting in a change in a running line distance that the ribbon runs between the tucking blade and the cutting ledge for setting the desired cutoff length of the signatures. In addition, claim 9 of the instant application recites that the adjustable diameter portion presses radially outward against a part of the circumference region. Support for the changes to claims 1 and 11 is found on page 12, lines 6-10. Support for the changes to claim 9 is found on pages 9 and 10 and as shown in Figs. 1 and 2.

In Halliwell, the adjustable diameter portion, yielding blocks, 19, 20, 31, 32 do not change the running line distance that the ribbon runs between the tucking blade and the cutting ledge. Simply put, the yielding blocks 19, 20, 31, 32 hold the signatures and compensate for variations in the thickness of the signatures. It is noted that the yielding blocks themselves may expand out, but this does not affect the signature cut size (e.g. running line distance). In addition, the yielding blocks do not press in a radially outward manner against a part of the circumference region.

In Neal, the band 11 can be adjusted by turning screws 22, 29. The band 11 is attached to an assembly 13, 14 by screws 12 and the assembly 13, 14 is moved by rotation of the screws 22, 29. The rotation of the screws 22, 29 causes the assembly to stretch or unstretch the band 11 at one or both end regions. In other words, Neal teaches a circumferential force on the band 11. As a result the band either bows out or contracts in. When the band 11 bows out or contracts inward, a minor change in the circumference occurs. The adjustment is performed to accommodate sections having varying number of pages. Once again the adjustment is done for thickness compensation.

In contrast, claims 1 and 11 of the instant application teach that the running line distance, that the ribbon runs, between the tucking blade and the cutting ledge gets changed. Neal does not teach this feature. In addition, Neal does not teach the tucking blade and therefore cannot define the running line distance as recited in claims 1 and 11.

Furthermore, claim 9 of the instant application recites that the adjustable diameter portion presses radially outward against a part of the circumference region. This is not believed to be taught in Neal as Neal teaches a circumferential pressure on the band.

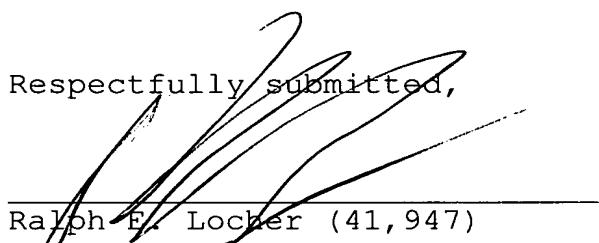
Claims 12-13 have been added and define the adjustment range. Support for newly added claims 12-13 is found on page 12, lines 17-19 and page 15, lines 13-16.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1, 9 and 11. Claims 1, 9 and 11 are, therefore, believed to be patentable over the art. Dependent claims 5, 12, and 13 are believed to be patentable as well because it is dependent on claim 1.

In view of the foregoing, reconsideration and allowance of claims 1, 5, 9 and 11-13 and the issuance of a Notice of Allowance for claims 1-3, 5 and 9-13 are solicited.

If an extension of time is required, petition for extension is herewith made. Any extension fee associated therewith should be charged to the Deposit Account of Lerner Greenberg, Stemer LLP, No. 12-1099. Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,


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